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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **Stephen Mark McAllister** :  
APPLICATION NO. : **10/565,462** : Examiner: **Susan T. Tran**  
FILING DATE: **January 20, 2006** : Group Art Unit: **1615**  
TITLE: **PHARMACEUTICAL FORMULATIONS** : Confirm No.: **9920**

Via EFS

Sir:

**COMMUNICATION IN RESPONSE TO May 27, 2011 NOTICE OF NONCOMPLIANT  
AMENDMENT**

This Communication is submitted in response to a Notice of Noncompliant Amendment that was issued by the United States Patent and Trademark Office on May 27, 2011 in connection with the amended above-identified Application filed by Applicants on May 20, 2011. The Notice of Non-Compliant Amendment states that the period within which to supply the correction is "one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action." Here, the non-compliant amendment is a non-final amendment that is a request for continued examination (RCE) under 37 CFR 1.114; therefore, a response to the May 27, 2011 Notice of Noncompliant Amendment is due by **June 27, 2011**. Accordingly, this Communication is timely filed.

In a telephone conversation on June 8, 2010 between Ms. Linda Li, the undersigned is the attorney for the Applicants, and the Legal Instruments Examiner's supervisor Mr. Kendal Jones, Mr. Jones has indicated that the amendment needs to include the text of the